

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2019-271-T

IN RE: Petition of the Office of Regulatory Staff to Revoke Certificates of Public Convenience and Necessity of Certain Motor Carriers For Failure to Maintain and File Evidence of Insurance)))))	AMENDED PETITION FOR REVOCATION OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY OF CERTAIN MOTOR CARRIERS
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The South Carolina Office of Regulatory Staff (“ORS”), by filing this petition, would respectfully show and request of the Public Service Commission of South Carolina (“Commission”):

1. That the Commission is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina; that the Commission is responsible for the regulation of motor vehicle carriers operating for compensation as set forth in S.C. Code Ann. § 58-23-10 *et seq.* (2015 and Supp. 2015); that ORS is charged with the duty to protect the public interest pursuant to S.C. Code Ann. § 58-4-10 *et seq.* (2015 and Supp. 2015).

2. That the companies listed in Exhibit A have been approved by the Commission and certified by ORS to operate as “motor vehicle carriers” as defined in S.C. Code Ann. § 58-23-10(4) (2015) in that they own, control, operate, or manage motor propelled vehicles, not usually operated on or over rails, used in the business of transporting persons or property for compensation over improved public highways in this state.

3. That the companies listed in Exhibit A, each having applied for and having an Order from the Commission to receive a Certificate of Public Convenience and Necessity (“PC&N”) to operate a motor vehicle carrier as defined in S.C. Code Ann. § 58-23-10(4) (2015), have submitted to the jurisdiction of the Commission by holding said Certificate PC&N, and are therefore subject to the jurisdiction of this

Commission pursuant to S.C. Code Ann. § 58-23-1010 *et seq.* (2015 and Supp. 2015). See Exhibit A, Carriers Out of Compliance for Failure to Maintain and File Evidence of Insurance.

4. That the companies listed in Exhibit A, prior to receiving their Certificate PC&N, were each found to be fit, willing and able to operate as a motor carrier by the Commission; from our understanding that in obtaining such authority the companies certified they are “familiar with all statutes and regulations, including safety regulations, governing for-hire motor carrier operations in South Carolina and agree to operate in compliance with these statutes and regulations.” 10 S.C. Code Ann. Regs. 103-133(4)(a) (2012); further, the companies certified they are “aware of the commission's insurance requirements and the costs associated therewith.” 10 S.C. Code Ann. Regs. 103-133(4)(b) (2012).

5. That the Commission requires motor carrier applicants to procure and file with the Commission proper proof of insurance and that the insurance “must be kept in full force and effect and failure to do so is cause for the revocation of the certificate.” S.C. Code Ann. § 58-23-910 (2015).

6. That the companies listed in Exhibit A have failed to file proof of insurance as required by S.C. Code Ann. § 58-23-910 (2015) and 10 S.C. Code Ann. Regs. 103-171 and/or 103-174 (2012). See Exhibit B, Affidavit of Carole Chauvin.

7. That ORS notified the companies listed in Exhibit A through certified mail, return receipt requested, of their failure to file the required documents providing evidence of insurance; that despite this notification, the listed companies have continued to fail to comply with the requirements of providing evidence of insurance.

8. That “[a] failure to file evidence of insurance, self-insurance or surety bond shall be just cause for the commission, without further evidence or hearing, to suspend its order granting authority or to suspend the certificate or any license issued to the motor carrier. A failure to keep all insurance, self-insurance, or surety bond in full force and effect shall result in automatic suspension, upon receipt of an affidavit from the ORS with supporting evidence, of the commission’s order granting authority, the certificate, and any license issued to the motor carrier....” 10 S.C. Code Ann. Regs. 103-175 (2012); further, that “the [insurance] policy, [surety] bond or certificate of self-insurance...must be kept in full force

and effect and failure to do so is cause for the revocation of the certificate.” S.C. Code Ann. § 58-23-910 (2015).

9. That “[t]he commission may at any time, after notice and opportunity to be heard, suspend, revoke, alter, or amend any certificate, if it shall be made to appear that the holder has willfully violated or refused to observe orders, rules, or regulations prescribed by the commission, provisions of the Motor Vehicle Carrier Law, or any other law of this State regulating motor carriers for hire and applicable to the holder of such certificate, or, if, in the opinion of the commission, the motor carrier holding a Certificate of PC&N is not furnishing adequate service or it is no longer compatible with the public interest to continue said certificate in force, or, if in the opinion of the commission, the motor carrier holding a Certificate of FWA is no longer furnishing adequate service, or said carrier no longer meets the fit, willing, and able criteria...” 10 S.C. Code Ann. Regs. 103-240 (2012).

10. That “[t]he commission may, after a hearing, order the suspension, revocation, alteration, or amendment of any certificate issued pursuant to Articles 1 through 11 of this chapter, if it is proved that the holder of the certificate wilfully made any misrepresentation of a material fact in obtaining his certificate or wilfully violated or refused to observe the laws of this State touching motor vehicle carriers or wilfully violated any of the terms of his certificate or of the commission's proper orders, rules or regulations. But the holder of the certificate has the right of appeal to any court of competent jurisdiction. The commission must not be a party to any appeal.” S.C. Code Ann. § 58-23-320 (2015).

11. That the information listed in Exhibit A is the mailing address for each carrier on file with the Commission and ORS and the information listed in Exhibit A was provided by each carrier listed in Exhibit A. See Exhibit A, Carriers Out of Compliance for Failure to Maintain and File Evidence of Insurance. See Exhibit B, Affidavit of Carole Chauvin.

WHEREFORE, ORS respectfully requests that the Honorable Commission:

1. Provide for the opportunity by the carrier to respond to the allegations of this Petition within (30) days from the date of receipt of this Petition;

2. Schedule and conduct a formal administrative hearing as soon as practicable to address disputed issues of fact and law regarding the Certificates of PC&N of the carriers listed in Exhibit A, which ORS seeks to have revoked by the Commission in this action pursuant to 10 S.C. Code Ann. Regs. 103-175 and 103-240 (2012) and S.C. Code Ann. § 58-23-320 (2015);
3. Following the formal administrative hearing, immediately rule to revoke the Certificates of those motor carriers listed in Exhibit A in accordance with the authority provided to the Commission under 10 S.C. Code Ann. Regs. 103-240 (2012) and S.C. Code Ann. § 58-23-320 (2015) and thereafter immediately enter a final Order; and,
4. For other appropriate action which the Commission may deem necessary.



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November 5, 2019
Columbia, South Carolina

November 5, 2019

Docket No.

2019-271-T

No.	Docket #	Cert Type	NAME	DBA	ADDRESS	CITY	STATE	ZIP CODE
1	2006-262-T	Class C Taxi	Ace Transportation Leasing, LLC		PO Box 63523	North Charleston	SC	29419
2	2001-128-T	Class C Charter Bus	Addison Tours, LLC		PO Box 1167	St. Stephen	SC	29479
3	2018-216-T	Class C Non-Emer	AFT Transportation, LLC		4315 Wentworth Dr	Columbia	SC	29203
4	2019-25-T	Class C Taxi	Beach Bound Taxi Shuttle llc		3319 Darden Rd	Greensboro	NC	27407
5	2018-215-T	Class C Non-Emer	Beckon of Hope, LLC		1050 Forbes Rd	Fort Mill	SC	29707
6	2018-101-T	Class C Charter	Ben Alverson	Alverson's Limo Service	163 McCarline Rd	Lexington	SC	29073
7	2014-436-T	Class C Charter Bus	Blue Ridge Charters, LLC		PO Box 394	Mt Holly	NC	28120
8	2016-131-T	Class C Charter	Boss Transportation L.L.C.		1200 Landau Ln	MT Pleasant	SC	29466
9	1996-523-T	Class C Charter Bus	Brooks Transit Charter Service, Inc.		2629 Flamingo Drive	Columbia	SC	29209
10	2016-406-T	Class C Charter	C & J Tours of Camden LLC		1161 Red Hill Rd	Camden	SC	29020
11	2018-335-T	Class C Non-Emer	Capital Area Transport Services, LLC		515 Broad St Ste 103	Sumter	SC	29150
12	2017-124-T	Class C Charter Bus	Carolina Bus Charter LLC		6424 Dorchester Rd	N Charleston	SC	29418
13	1993-586-T	Class E HHG	Chavis Van & Storage Of Myrtle Beach, Inc.		PO Box 917	Conway	SC	29528
14	2011-386-T	Class E HHG	Coastal Furniture Delivery & Moving, LLC		155 Northside Dr	Little River	SC	29566
15	2016-151-T	Class C Charter Bus	Coffield's Charter and Tour, LLC		7419 Powell Rd	Georgetown	SC	29440
16	2016-405-T	Class C Taxi	Connie F. Mitchell		2037 Rolling Hills Rd	Columbia	SC	29210
17	2015-189-T	Class C Charter Bus	Emerald Tours Inc. LLC		6639 Shakespeare Rd	Columbia	SC	29223
18	2017-199-T	Class C Charter	Executive Cab LLC	JJ's Limo Service	619 Frink St	Cayce	SC	29033
19	2018-275-T	Class C Non-Emer	Georgette Robinson	Kingdom Care	1065 Hammond Dr	Attleboro	SC	29810
20	2009-28-T	Class C Charter Bus	Grace Tours, LLC		3608 Morse Ave	Savannah	GA	31404
21	2018-312-T	Class C Charter	Graffit Marketing and Transportation LLC	Cool Bus	666 Prosperity Dr	Lamar	SC	29039
22	2018-261-T	Class C Charter	Greater Faith Transport Services, LLC	G & G Transportation	PO Box 187	Scranton	SC	29591
23	2017-224-T	Class C Non-Emer	Gregory Jenkins Trucking, LLC	Yellow Cab Company	136 S Main St	North Augusta	SC	29341
24	1997-328-T	Class C Taxi	Heather Henderson		528 Laverne Ave	Goose Creek	SC	29445
25	2018-224-T	Class C Taxi	Herman Davis		4 Grover Ln	North Augusta	SC	29841
26	2012-424-T	Class C Taxi	Julius Collins, Jr.	Wellness Transport	1570 Pumphouse Rd	Winnsboro	SC	29180
27	2018-370-T	Class C Non-Emer	Lykes Services LLC	Low Country Elite Limousine and Transportation Services	900 Mockingbird Lane	Charleston	SC	29414
28	2018-66-T	Class C Charter	Morgan's Limousine and Transportation Services, LLC		1200 2nd St	Newberry	SC	29108
29	2014-443-T	Class C Taxi	NBY Taxi Service LLC		PO Box 2054	Columbia	SC	29202
30	2015-157-T	Class C Charter	Need-A-Lift Transportation Services LLC	Palbert Transportation	40 Shanklin Rd Suite F	Beaufort	SC	29906
31	2007-315-T	Class C Non-Emer	Palbert, Inc.	Distinctive Limo Service	2699 Lucknow Rd	Travelers Rest	SC	29680
32	2016-48-T	Class C Charter	Patricia Philter		109 Midwood Rd	Sumterville	SC	29465
33	2010-133-T	Class C Non-Emer	Renew Transportation LP		9452 Aycoough Rd	N Charleston	SC	29405
34	2015-373-T	Class C Charter	S & K Transportation, LLC		4140 Rivers Ave	Columbia	SC	29204
35	2015-115-T	Class C Taxi	Safe Choice Transportation, LLC		3600 Chateau Dr Bldg R134	Johnston	SC	29832
36	2017-380-T	Class C Non-Emer	Superior Senior Services LLC	Easy Ride Transportation	201 Cannon Rd	Greenwood	SC	29646
37	2018-107-T	Class C Non-Emer	Tamela Lewis	A Plus Luxury Limousine	201 Cannon Rd	Greenwood	SC	29646
38	2019-88-T	Class C Charter Bus	Travis Rapp and Emory Brown	Pure Elegance Limousine Service	14 Phelps St	Sumter	SC	29150
39	2019-54-T	Class C Charter	Travis Rapp and Emory Brown					
40	2014-139-T	Class C Charter	Treghield McLeod					
41	2017-161-T	Class C Charter Bus	Veronica Baxter	Bacchus Transportation Company	1962 E Hwy 76	Marion	SC	29571

EXHIBIT B

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. 2019-271-T

November 5, 2019

IN RE: Petition of the Office of Regulatory Staff to Revoke
Certificates of Public Convenience and Necessity of
Certain Motor Carriers for Failure to Maintain and
File Evidence of Insurance

AFFIDAVIT OF
CAROLE CHAUVIN

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is Carole Chauvin and I am employed by the Office of Regulatory Staff ("ORS") as a Program Specialist for the Transportation Department.
- 2) My office is located at 1401 Main Street, Suite 900, Columbia, South Carolina, 29201.
- 3) My duties and responsibilities as a Program Specialist for ORS include serving as custodian of records for business filings associated with motor vehicle carriers subject to the jurisdiction of the Public Service Commission ("PSC").
- 4) It is the regular business practice of ORS to maintain certain business records required to be filed by motor vehicle carriers that are subject to the jurisdiction of the PSC.
- 5) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 6) On November 5, 2019, I examined the business records on file with ORS.
- 7) As a result of that examination, I attest that the proof of insurance as required by 10 S.C. Code Ann. Regs. 103-171 and/or 103-174 (2012) has not been filed with ORS by the following carriers as of November 5, 2019: (See attached list)

AND FURTHER THE AFFIANT SAYETH NOT.

Carole Chauvin

Carole Chauvin
Program Specialist, Transportation Department
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, S.C. 29201

Sworn and subscribed before me
this 5th day of November, 20 19

Victoria Watts

Notary Public for South Carolina

My Commission Expires: 10/16/23